

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Vincent John Hall, aka Vincent J. Hall,  
formerly #281021,

Plaintiff,

vs.

Cora Pouncey, Nurse at Dillon  
Detention Center,

Defendant.

Civil Action No. 6:07-1576-RBH-WMC

**REPORT OF MAGISTRATE JUDGE**

The plaintiff brought this action seeking relief pursuant to Title 42, United States Code, Section 1983. On September 26, 2007, the defendant filed a motion for summary judgment. On September 27, 2007, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4<sup>th</sup> Cir. 1975), the plaintiff was advised of the summary judgment procedure and the possible consequences if he failed to respond adequately. Despite this explanation, the plaintiff elected not to respond to the motion.

As the plaintiff is proceeding *pro se*, the court filed a second order on November 21, 2007, giving the plaintiff through December 19, 2007, to file his response to the motion for summary judgment. The plaintiff was specifically advised that if he failed to respond, this action would be dismissed for failure to prosecute. The plaintiff elected not to respond.

Based on the foregoing, it appears the plaintiff no longer wishes to pursue this action. Accordingly, it is recommended that this action be dismissed for lack of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *Ballard v. Carlson*, 882 F.2d 93 (4<sup>th</sup> Cir. 1989), *cert. denied*, 493 U.S. 1084 (1990).

s/William M. Catoe  
United States Magistrate Judge

January 8, 2008  
Greenville, South Carolina